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HENDERSONVILLE MAN SENTENCED TO 24 YEARS IN PRISON ON CHILD PORNOGRAPHY CHARGES

ASHEVILLE, NC – Albert Charles Burgess, 60, was sentenced Tuesday to 24 years in prison, to be followed by a lifetime of supervised release, for possessing and receiving child pornography, announced U.S. Attorney Anne M. Tompkins of the Western District of North Carolina. The court also ordered that Burgess pay restitution of more than \$300,000 to one of the victims of his crime. Burgess was already a registered sex offender at the time of his offense.

“We announced a week ago that we’re ramping up our investigations and prosecutions in these types of cases. I am very pleased that the close cooperation between federal and state authorities helped obtain this conviction and lengthy sentence,” said U.S. Attorney Tompkins. “Today’s sentence of 24 years’ imprisonment is an important vindication for victims of this man’s crimes. We are grateful to our law enforcement partners for their commitment and unwavering efforts in the investigation and prosecution of this case.”

Tompkins is joined in making today’s announcement by Assistant Special Agent in Charge, U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations, Delbert Richburg; Inspector in Charge of U.S. Postal Inspection Service, Keith Fixel; and Henderson County Sheriff Rick Davis.

Burgess was convicted by a jury on November 18, 2009, on two counts: one count of possession of material involving the sexual exploitation of minors, and a second count of receipt of material involving the sexual exploitation of minors. According to evidence presented during the trial, the case arose as the result of a local investigation which stemmed from a federal law enforcement operation known as “Project Flicker,” an international investigation into commercial child pornography websites. Evidence presented at trial and at today’s sentencing hearing showed that Burgess was identified as an individual who paid money to join a commercial child pornography website, which was part of the Project Flicker investigation. Law enforcement agencies executed a federal search warrant at Burgess’s residence in March 2008, and found a computer and 327 CD’s that contained images and videos depicting the sexual abuse of children as young as five years old. The search warrant, according to the evidence, turned up a total of 791 videos and 4734 images of child pornography in Burgess’s home. Agents testified at the trial that Burgess stated that he viewed child pornography on a daily basis.

Further, according to statements made to the court at Tuesday’s sentencing hearing, Burgess’s involvement in this crime went back to 2000 when he had paid to join a child pornography website. Statements made in open court on Tuesday revealed that Burgess had also joined another child pornography website in 2006 or 2007. The record from the sentencing hearing shows that Burgess has a long criminal history with convictions for child sexual

molestation in 1971 and in 1985. According to statements made at the hearing, during the investigation of this federal case Burgess admitted to federal agents that he had molested between 40 and 50 boys prior to 1985.

“Predators who think that they can hide behind the anonymity of cyberspace are sorely mistaken,” said Delbert Richburg, ICE Homeland Security Investigations assistant special agent in charge overseeing North Carolina. “Today’s sentence is a true testament to the unrelenting commitment of both law enforcement and prosecutors in Charlotte to protect the most vulnerable among us—our children.”

This case was brought as part of Project Safe Childhood, a nationwide initiative launched in May 2006 by the Department of Justice, to combat the growing epidemic of online sexual exploitation of children. Led by U.S. Attorneys’ Offices and the Criminal Division’s Child Exploitation and Obscenity Section (CEOS), Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children using the Internet, as well as to identify and rescue victims. The North Carolina State Bureau of Investigation heads up North Carolina’s statewide Internet Crimes Against Children Task Forces.

For more on Project Safe Childhood and related information sources, please visit www.projectsafchildhood.gov, <http://www.ncmec.org> (National Center for Missing and Exploited Children), or <http://www.htcia.org/isfc/> (High Technology Crime Investigation Association Internet Safety for Children Campaign). Public service announcements can also be viewed and/or downloaded from these helpful sites.

The case was prosecuted by Assistant U.S. Attorneys Kimlani M. Ford and Cortney Escaravage for the Western District of North Carolina. The case was investigated by U.S. Immigration and Customs Enforcement (ICE), U.S. Postal Inspection Service, the North Carolina SBI, and the Henderson County Sheriff’s Office.

Burgess has remained in local federal custody since April 16, 2009. Upon designation of a federal facility by the Federal Bureau of Prisons, he will be transferred into Bureau of Prisons custody. Federal terms of imprisonment are served without the possibility of parole.

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